

**STATE OF TENNESSEE**  
**Department of Commerce and Insurance**  
**500 James Robertson Parkway**  
**Nashville, TN 37243-1131**  
**PH - 615.532.5260, FX - 615.532.2788**  
**Jerald.E.Gilbert@tn.gov**



September 25, 2013

Northwestern Mutual Life Ins. Co.  
720 E. Wisconsin Ave, Rm S616, % G.C.  
Milwaukee, WI 53202  
NAIC # 67091

Certified Mail  
Return Receipt Requested  
7012 1010 0002 9210 0240  
Cashier # 11031

Re: Todd E. Ware V. Northwestern Mutual Life Ins. Co.

Docket # 186115-3

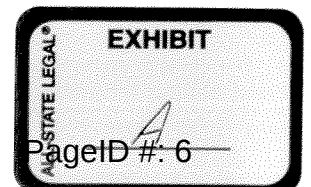
To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served September 24, 2013, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Jerald E. Gilbert  
Designated Agent  
Service of Process

Enclosures

cc: Chancery Court Clerk  
Knox County  
400 Main Avenue, Rm 123  
Knoxville, Tn 37902



Filed

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE  
AT KNOXVILLE

TODD E. WARE,

Plaintiff,

v.

NORTHWESTERN MUTUAL LIFE  
INSURANCE COMPANY,

Defendant.

2013 SEP 18 PM 2:50

HOWARD HOGAN

No. 186115-3

**SUMMONS**

TO: Northwestern Mutual Life Insurance Company in care of Julie Mix McPeak, Commissioner  
Department of Commerce & Insurance, 500 James Robertson Parkway, Davy Crockett Tower,  
Nashville, Tennessee 37243-0565

You are hereby summoned and required to serve upon Dan D. Rhea, Esq., whose address is:  
Arnett, Draper and Hagood, P.O. Box 300, Knoxville, Tennessee 37901-0300, a true copy of the Answer  
to the Complaint which is herewith served upon you, within thirty (30) days after service of this  
Summons upon you, exclusive of the day of service. You will file the original with the Court.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the  
Complaint.

Issued this 18 day of Sept, 2013 at \_\_\_ o'clock, \_\_ M.

Witness, Howard Hogan, Clerk of said Court, at office the Sept 18, A.D., 2013.

Clerk

By:

Deputy Clerk



(This Summons is issued pursuant to Rule 4 of the Tennessee Rules of Civil Procedures.)

NOTICE

TO THE DEFENDANT(S):

Tennessee law provides a four thousand dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a Judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, **unless it is filed before the Judgment becomes final, it will not be effective as to any execution of garnishment issued prior to the filing of the list.** Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Received this \_\_\_\_ day of \_\_\_\_\_, 2013, \_\_\_\_\_, Deputy Sheriff.

RETURN ON SERVICE OF SUMMONS

I hereby certify and return that on the \_\_\_\_ day of \_\_\_\_\_, 2013, I served this Summons together with the Complaint as follows: \_\_\_\_\_

failed to serve this Summons within thirty (30) days after its issuance because \_\_\_\_\_

\_\_\_\_\_  
Sheriff-Deputy Sheriff

FILED

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE  
AT KNOXVILLE

TODD E. WARE,

Plaintiff,

v.

NORTHWESTERN MUTUAL LIFE  
INSURANCE COMPANY,

Defendant.

2013 SEP 18 PM 2:51

HOWARD C. DOGAN

No. 186115-3  
(JURY TRIAL DEMANDED)

COMPLAINT

The Plaintiff, Todd E. Ware, appearing through his undersigned legal counsel, hereby states for his Complaint against the Defendant, Northwestern Mutual Life Insurance Company, the following:

1. The Plaintiff, Todd E. Ware, is the owner and the named insured of two Disability Income Loss of Earnings insurance policies issued by defendant, Northwestern Mutual Life Insurance Company, bearing policy numbers D1 175 641 and DI 249 879, respectively.

2. Pursuant to Tenn. R. Civ. P. 10.03, the terms of the aforesaid insurance policies are specifically incorporated herein, without attachment hereto.

3. The Plaintiff has become physically disabled from gainful work due to extensive lower back pain, and has incurred a loss of income and earnings on account of said disability, entitling the Plaintiff to benefits under the terms of aforesaid insurance policies.

4. With the exception of some initial, periodic payments which have now been formally terminated despite Plaintiff's compliance with all conditions precedent to periodic payments, the Defendant has refused to pay benefits to the Plaintiff pursuant to the terms of the aforesaid insurance policies.

WHEREFORE, the Plaintiff sues the Defendant for all past due, and all ongoing benefits due and owing the Plaintiff under the terms of the aforesaid insurance policies, plus prejudgment interest and the costs of this civil action. The Plaintiff further demands trial by jury of all fact issues joined in this civil action.

Respectfully submitted,

ARNETT, DRAPER & HAGOOD

By: Dan D. Rhea  
Dan D. Rhea, BPR No. 005927  
Attorneys for Plaintiff, Todd E.  
Ware

Arnett, Draper & Hagood  
P. O. Box 300  
Knoxville, TN 37901-0300

COST BOND

We acknowledge ourselves as surety for all costs in accordance with Tenn. Code Ann. §20-12-120.

ARNETT, DRAPER AND HAGOOD

By: Dan D. Rhea  
partner

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE  
AT KNOXVILLE

TODD E. WARE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. _____
	)	(JURY TRIAL DEMANDED)
NORTHWESTERN MUTUAL LIFE	)	
INSURANCE COMPANY,	)	
	)	
Defendant.	)	

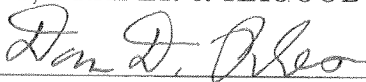
AFFIDAVIT OF LAST KNOWN ADDRESS

The address of Northwestern Mutual Life Insurance Company, last known to the plaintiff in this civil action, is as follows:

The Northwestern Mutual Life Insurance Company  
ATTN: Disability Benefits  
720 East Wisconsin Avenue  
Milwaukee, WI 53202

Further the affiant sayeth not.

ARNETT, DRAPER & HAGOOD

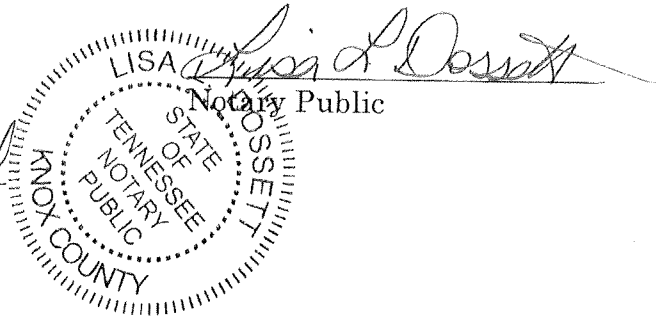
By:   
Dan D. Rhea, BPR No. 005927  
Attorneys for Plaintiff, Todd E.  
Ware

Arnett, Draper & Hagood  
P. O. Box 300  
Knoxville, TN 37901 -0300

State of Tennessee       )  
County of Knox            )

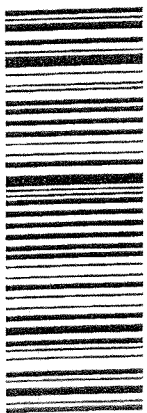
Sworn to and subscribed before me a notary public in aforesaid state, on this  
the 8<sup>th</sup> day of September, 2013.

My commission expires: 11-23-2014



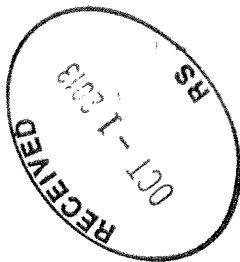
State of Tennessee  
Dept. of Commerce & Insurance  
Service of Process  
500 James Robertson Parkway  
Nashville, TN 37243

**CERTIFIED MAIL™**

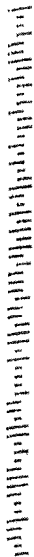
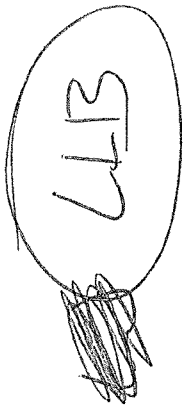
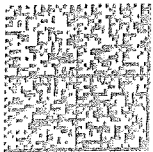


7012 1010 0002 9210 0240

7012 1010 0002 9210 0240 9/25/12  
NORTHWESTERN MUTUAL LIFE INS. CO.  
720 E. WISCONSIN AVE, RM S616, %  
MILWAUKEE, WI 53202



FIRST CLASS



5320224797 C033